

# IDS A

Infectious Diseases Society of America

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July 9, 2001

The Honorable John Dingell  
Committee on Energy and Commerce, House of Representatives  
2322 Rayburn House Office Building  
Washington, DC 20515

Dear Congressman Dingell:

We are writing to express the Infectious Diseases Society of America (IDSA) and the HIV Medicine Association's (HIVMA) strong support for H.R. 526, the Bipartisan Patient Protection Act of 2001. We are pleased to endorse this important legislation, which will grant Americans the patient protections they want and deserve. We are grateful to you for the leadership that you have shown in recognizing and safeguarding patients' rights by introducing this important legislation.

IDSA represents more than 6,500 physicians and scientists devoted to patient care, education, research, and community health planning in infectious diseases. Infectious diseases specialists care for patients with serious infections, including persons with HIV/AIDS, meningitis, pneumonia, heart valve infections, severe bone, joint or wound infections, and those with cancer or transplants who have life-threatening infections caused by unusual organisms. Treating these complex and life-threatening diseases requires prompt attention by experienced and qualified specialists. HIVMA, nested within IDSA, represents 2,000 physicians, scientists and other health care professionals dedicated to the field of HIV/AIDS, not just those trained in infectious diseases. Thus, both organizations strongly support H.R. 526's provisions relating to access to specialists and specialty care. We believe that these provisions are consistent with our goal to ensure that patients have access to state-of-the-art care and that the care provided is the most clinically appropriate for each patient.

H.R. 526 also includes several other key elements that we believe should be included in any patients' bill of rights:

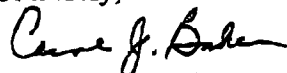
- An effective and timely appeals mechanism for patients that are denied access to needed services.
- The right of individuals to hold managed care plans accountable in a court of law for decisions that have harmed them or their family members. We appreciate the efforts you and the other co-sponsors have made to craft language that affirms this right in a way that will not expose employers to liability for health plan determinations--or open up health plans to unwarranted lawsuits and excessive damages.

*[The Honorable John Dingell continued]*

- An assurance that health plan determinations of medical necessity will be based on professional standards of appropriateness based on clinical evidence, rather than a health plan's criteria that are not evidence based and do not reflect professional standards.
- Guaranteed choice of physicians (including access to specialists and specialty care, as mentioned above).
- Access to the appropriate prescription drugs by requiring plans to cover drugs that are not on their formulary when medically necessary.
- Guaranteed protections for the doctor-patient relationship by allowing physicians to advise patients on treatment options regardless of whether or not they are covered by the health plan and protecting physicians who engage in advocacy for their patients.
- Guaranteed access to clinical trials by not allowing plans to deny participation in approved clinical trials and requiring coverage of routine patient costs associated with trial participation.
- Continuity of care by requiring plans to give patients who are undergoing treatment for a serious and complex condition such as AIDS the option to continue coverage by a provider for up to 90 days.
- The applicability of these protections to all Americans covered by private sector group health plan, individual health plans and fully-insured State and local government plans.

Thank you again for leadership in this area. Please feel free to contact Robert J. Guidos, J.D., IDSA's Director of Public Policy at 703-299-0202, with any questions or if we can provide you with any additional information.

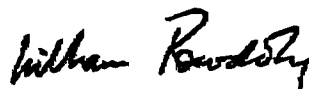
Sincerely,



Carol J. Baker, MD

President

Infectious Diseases Society of America



William Powderly, MD

Chair

HIV Medicine Association